

Amendments to the Claims

This listing of the claims will replace all prior versions, and listings, of the claims in the application:

Listing of the Claims

1. (currently amended) A container having an upper portion with an opening into said container and a base, said upper portion having a neck finish ~~adapted to include which~~ includes an expandable and moveable seal ~~following the introduction of a heated or heatable liquid into seal, wherein the seal is configured to be expandable and moveable relative to the container when sealed thereto and when a heated liquid is in the container, said seal being capable of movement moving downwardly towards the base and within the neck finish to compensate for vacuum forces during cooling of the liquid following sealing of the container, said seal being one of a flexible material housing an expandable side wall, a flexible material housing an expandable side wall which has a concertina construction providing for the expansion and a flexible balloon structure which is able to expand within the neck finish in compensating for vacuum pressure as the liquid cools.~~
2. (currently amended) A container as claimed in Claim 1 wherein a surface of said seal extends transversely across the neck finish and ~~is adapted to move~~ moves further into the neck finish as the seal expands.
3. (currently amended) A container as claimed in Claim 1 or Claim 2 wherein said seal is of a ~~flexible~~ flexible ~~said flexible~~ material having an expandable side wall.

4. (currently amended) A container seal as claimed in Claim 3 in which said side wall has a ~~concertina-like construction providing for said expansion~~ said concertina construction providing for its expansion.
5. (previously presented) A container as claimed in Claim 1 in which the seal includes a rim portion which can engage with a rim of the neck finish.
6. (currently amended) A container as claimed in Claim 1 in which said ~~movable seal includes a~~ includes said side wall which can be physically moved relative to the neck finish and towards the liquid in the container.
7. (original) A container as claimed in Claim 6 in which the side wall includes a screw thread engageable with another screw thread provided for said neck finish or a cap thereof.
8. (currently amended) A container as claimed in Claim 6 in which the side wall provides a push-fit with at least one of the neck finish ~~or cap thereof and a cap thereof.~~
9. (previously presented) A container as claimed in Claim 1 wherein said seal provides a primary seal for the container, a secondary seal being provided for said neck finish over said opening into said container to define a secondary headspace between the primary and secondary seals.
10. (currently amended) A container as claimed in Claim 9 in which a commodity is positioned ~~or positionable~~ within said secondary headspace.
11. (currently amended) A container as claimed in Claim 10 in which said commodity is ~~a tablet or one of a tablet and a~~ pill intended for mixing with the liquid before use.

12. (currently amended) A container as claimed in Claim 9 in which said secondary seal includes ~~an aperture or one of an aperture and a port to provide access into said secondary headspace.~~
- 13 (currently amended) A container as claimed in Claim 12 in which ~~one of said aperture or said aperture and said port allows ingress of outside air into said secondary headspace and is adapted to be closed closes off following sufficient cooling of the liquid.~~
14. (currently amended) A container as claimed in Claim 12 in which ~~said aperture or one of said aperture and said port enables the entry into the secondary headspace of a commodity.~~
15. (currently amended) A container as claimed in Claim 14 in which the commodity is ~~nitrogen or an oxygen-scavenging agent.~~
16. (currently amended) A container as claimed in Claim 1 in which the seal is of ~~a flexible "balloon-like" said flexible balloon structure which is able to expand expands~~ within the neck finish in compensating for vacuum pressure as the liquid cools.
17. (currently amended) A container as claimed in Claim 1 ~~further including a base which is adapted to be inverted wherein said base inverts to provide a compression of the seal to move it within the neck finish towards the said opening and to pressurize a secondary headspace above said seal.~~
18. (previously presented) A container as claimed in Claim 1 in which said seal is in the form of a cap which is positionable about said opening, said cap being downwardly moveable to compress a headspace beneath the seal.
19. (original) A container as claimed in Claim 18 in which a mechanical force provides for said downward movement.

20. (previously presented) A container as claimed in Claim 18 in which the cap is lockable in its downward position.
21. (currently amended) A method of filling a container having a base and neck finish with a fluid which method includes introducing the fluid through an open end of the container so that it, at least substantially, fills the container, heating the fluid at least one of before or after and after its introduction into the container, ~~providing a~~ providing an expandable and moveable seal for the open end to cover and contain the fluid, said seal being capable of responding to the expansion or one of the expansion and contraction of the fluid so as to compensate for pressure in a headspace of the container under the seal following sealing of the container, by moving downwardly towards the base and within the neck finish, the said seal being one of a flexible material housing an expandable side wall, a flexible material housing an expandable side wall which has a concertina construction providing for the expansion, and a flexible balloon structure which is able to expand within the neck finish in compensating for vacuum pressure as the liquid cools.
22. Canceled.

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